

### REMARKS

Claims 1-22 are pending and stand rejected. Reconsideration of the rejections respectfully is urged.

Claims 1, 3, 4, 13, 17, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,551,011 to Danby et al. Applicant respectfully requests reconsideration of this rejection.

Claim 1 recites “a system for simulating a *flexographic* printing process based on user-controlled *flexographic* printing process parameters.” The system includes, *inter alia*, “a formal model of *flexographic* printing including *flexographic* printing process variables,” “ranges of the *flexographic* printing process variable values,” “potential interactions between the *flexographic* printing process variables,” and “effects of the potential interactions on a *flexographic* printing process output.” The system also includes a simulator program comprising “a dynamic model of the *flexographic* printing process.”

Danby et al. teaches a computerized system simulating the formation of a sheet of paper. One way of evaluating the sheet of paper is to simulate how ink would appear on a virtual sheet of paper. Danby et al. discloses that the degree of ink penetration into the paper can be simulated, as well as whether strike through occurs. Danby et al. discloses the ability to select the printing process desired to be used for the print simulation, and that the system is “adapted to accept data relating to the type of printing process.” See the Abstract. The system also can include simulation of a grid used for printing the sheet. Danby et al. is silent as to “a formal model of *flexographic* printing” and “*flexographic* printing process variables.” Indeed, Danby et al. does not contain a formal model of any type of printing. Danby et al. does not anticipate claim 1 of the present application.

Applicant notes that a claim is anticipated “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP § 2131, quoting *Verdegaal Bros v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Office Action describes

Danby et al. as teaching “user controlled process parameters,” “a set of databases comprising a formal model of process variables,” “process variable values,” “interactions between process variables,” “effects of the interaction on printing process output,” and “a dynamic model of the printing process.” Conspicuously absent from the description in the Office Action, and from Danby et al., is the “flexographic” element. Danby et al. does not set forth “each and every element” of claim 1, and consequently does not anticipate claim 1. Claims 2-12 depend directly or indirectly from claim 1, and so are patentable over Danby et al. for at least the same reasons.

Claim 13 recites a method of simulating a flexographic printing process. The method includes creating a database containing a formal model of the flexographic printing process, and displaying data related to flexographic printing process simulation. As noted above, Danby et al. is silent as to flexographic printing processes. Claim 13 is patentable over Danby et al. Claims 14-21 depend from claim 13, and so are patentable over Danby et al. for at least the same reasons.

Claim 22 recites a system for simulating a flexographic printing operation. The system includes, *inter alia*, a simulating system based on a dynamic flexographic printing model. Danby et al. does not contain any disclosure of flexographic printing, and so does not teach a simulating system based on a dynamic flexographic printing model. Claim 22 is not anticipated by Danby et al.

Claims 2, 6, 8, 12, 14-16, 18, and 19 stand rejected under 35 U.S.C. § 103(a) on the basis of obviousness over Danby et al. Applicant respectfully requests reconsideration of this rejection.

Claims 2, 6, 8, and 12 depend from claim 1, which is not anticipated by Danby et al. Danby et al. has not been asserted against claim 1 under 35 U.S.C. § 103(a). Even if Danby et al. could be properly asserted against claim 1, a *prima facie* rejection based on obviousness would not result. As noted above, Danby et al. is silent as to “a system for simulating a flexographic printing process based on user-controlled flexographic printing

process parameters,” “a formal model of flexographic printing including flexographic printing process variables,” “ranges of the flexographic printing process variable values,” “potential interactions between the flexographic printing process variables,” and “effects of the potential interactions on a flexographic printing process output.” Danby et al. does not teach or suggest a system that includes a simulator program comprising “a dynamic model of the flexographic printing process.” Applicant respectfully submits that Danby et al. does not teach or suggest a dynamic model of any printing process.

In responding to Applicant’s previous remarks, the Office Action asserts that “there is no limitation on which part of the process is modeled,” and that therefore “the simulation of print quality and formation of sheet of paper meets the scope of the claimed limitation a ‘dynamic model of printing process.’” Applicant respectfully disagrees, and urges that the generally accepted meaning of the term “printing process” is plain, clear, and quite distinct from the meaning of the term “paper fabrication process.” Applicant’s use of the term “printing process” is in harmony with the generally accepted meaning. Moreover, Danby et al. treats the printing process and the fabrication process as distinct and separate. Consequently, based on a plain reading of the claims, applicant’s specification, and the prior art, there is no ambiguity regarding the process being recited in the pending claims. Claim 1 is not obvious over Danby et al. Claims 2-12 depend directly or indirectly from claim 1, and so are patentable over Danby et al. for at least the same reasons.

Claims 14-16, 18, and 19 depend from claim 13, which is patentable over Danby et al. Danby et al. has not been asserted against claim 13 under 35 U.S.C. § 103(a). Even if Danby et al. could be properly asserted against claim 13, a *prima facie* rejection based on obviousness would not result. As noted above, Danby et al. contains no teaching or suggestion of creating or providing a formal model of a flexographic printing process nor of generating flexographic printing simulation data. Claim 13 is not obvious over Danby et al. Claims 14-20 depend from claim 13, and are patentable over Danby et al. for at least the same reasons.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being obvious over Danby et al. in view of U.S. Pat. No. 4,639,881 to Zingher. Reconsideration of this rejection respectfully is requested.

Claim 5 depends from claim 1, which is patentable over Danby et al. Zingher has not been asserted against claim 1, and in any event does not cure the deficiencies of Danby et al. Even if Zingher could be properly combined with Danby et al., a *prima facie* rejection based on obviousness would not result. Zingher has been cited as teaching a densitometer. Zingher does not provide the teachings or motivation necessary to cure the deficiencies of Danby et al. to provide a system for simulating a flexographic printing process as recited in claim 1. Moreover, Zingher relates to remote control of a printing machine. The proposed combination of the papermaking system of Danby et al. and the printing machine control of Zingher would not result in a flexographic printing simulator as recited in claim 1. Claim 1 is patentable over the proposed combination of Danby et al. and Zingher. Claims 2-12 depend directly or indirectly from claim 1, and so are patentable over Danby et al. in view of Zingher.

Claims 7 and 20 stand rejected under 35 U.S.C. § 103(a) as being obvious over Danby et al. in view of Zingher, further in view of U.S. Pat. No. 4,733,634 to Karel. Applicant respectfully requests reconsideration of this rejection.

Claim 7 depends from claim 1, and claim 20 depends from claim 13, both of which are patentable over Danby et al. in view of Zingher. Karel has not been asserted in any rejection against claims 1 or 13. In any case, Karel does not cure the deficiencies of Danby et al. and Zingher. Even if Karel could be properly combined with Danby et al. and Zingher, a *prima facie* obviousness rejection of claim 1 or claim 13 would not result. Karel has been cited to provide consideration of production costs. Karel does not combine with Danby et al. and Zingher to provide the motivation for their modification so as to arrive at the inventions of claim 1 or claim 13. Claims 1 and 13 are patentable over the proposed combination of Danby et al., Zingher, and Karel. Claims 2-12 depend from claim 1, and

claims 14-21 depend from claim 13, and so are patentable over Danby et al. in view of Zingher, further in view of Karel, for at least the same reasons.

Claims 9, 10, and 21 stand rejected under 35 U.S.C. § 103(a) as being obvious over Danby et al. in view of Zingher, further in view of Karel, and further in view of U.S. Pat. No. 5,434,961 to Horiuchi. Reconsideration of this rejection respectfully is requested.

Claims 9 and 10 depend from claim 1, and claim 21 depends from claim 13, both of which are patentable over Danby et al. in view of Zingher, further in view of Karel. Horiuchi has not been asserted in a rejection of claim 1 or claim 13, and in any event would not cure the deficiencies of Danby et al. in view of Zingher, further in view of Karel. Horiuchi has been cited as providing layout and typesetting for a printing process. Horiuchi does not provide the motivation necessary to combine as proposed, and to modify as would be necessary, Danby et al., Zingher, and Karel. Claims 1 and 13 are patentable over the proposed combination of Danby et al. in view of Zingher, further in view of Karel, and further in view of Horiuchi. Claims 2-12 and 14-21 depend from claims 1 and 13 respectively, and so are patentable over the proposed combination of references for at least the same reasons.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Danby et al. in view of Zingher, further in view of Karel, further in view of Horiuchi, and further in view of U.S. Pat. No. 5,027,293 to Pung. Reconsideration of this rejection respectfully is requested.

Claim 11 depends from claim 1, which is patentable over Danby et al. in view of Zingher, further in view of Karel, further in view of Horiuchi. Pung has not been asserted in any rejection against claim 1, and in any event would not cure the deficiencies of Danby et al. in view of Zingher, further in view of Karel, and further in view of Horiuchi. Pung has been cited as providing the missing diagnostic help system. Pung does not provide the teachings and motivation necessary to modify Danby et al. in view of Zingher, further in

view of Karel, further in view of Horiuchi, and arrive at the present invention. Claim 1 is patentable over the proposed combination of Danby et al. in view of Zingher, further in view of Karel, further in view of Horiuchi, and further in view of Pung. Claims 2-12 depend from claim 1, and so are patentable over the proposed combination of cited references for at least the same reasons.

In view of the above, applicant believes the pending application is in condition for allowance.

Dated: March 23, 2005

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